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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 CALIFORNIA DEPARTMENT OF
11 TOXIC SUBSTANCES CONTROL,

12 Plaintiff,

CIV-S-02-0018 GEB GGH

13 vs.

14 BRIGHTON OIL COMPANY, et al.,

15 Defendants.

ORDER

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17 After meeting with representatives of plaintiff, DTSC, the court has determined
18 that an omnibus final settlement conference in the case is premature. Therefore, except as
19 directed below, the omnibus settlement conference is canceled.

20 However, counsel for all defendant parties (includes cross and third party
21 defendants) shall meet as scheduled on Monday, February 25, 2008, at 10:00 a.m. for a less time
22 consuming status of settlement meeting. The undersigned will explain that although DTSC
23 believes important modifications to the FS/RAP must be made, DTSC also believes that in all
24 likelihood, the required information can be obtained, derived or extrapolated from the
25 investigation(s) et al. already performed. Despite the present non-inclusion of what DTSC
26 believes is mandatory supplementation, DTSC also believes that the end point before DTSC

1 initial approval of the FS/RAP (prior to public hearings) is near. This is not to say that the
2 modifications, some of which involve contingent and presently unknowable events, may not have
3 significant cost implications and/or may not insert complexities in the settlement process.
4 Therefore, the status hearing will also focus on the cost of doing such and who shall perform the
5 tasks, if at all. Discussion will also be had on why an omnibus hearing was scheduled in the first
6 place.

7 DATED: 02/21/08

/s/ Gregory G. Hollows

8 GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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